

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 5:01cr00160-001
)	
Plaintiff,)	JUDGE JAMES S. GWIN
)	
vs.)	ORDER
)	
ANDREW P. BODNAR,)	
)	
Defendant.)	

This matter was heard on December 10, 2012, upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of his supervised release. The defendant was present and represented by Attorney Brian McGraw.

The violation report was referred to Magistrate Judge Nancy A. Vecchiarelli on October 9, 2012 [Doc. 25]. The Magistrate Judge conducted appropriate proceedings and issued a Report and Recommendation on November 13, 2012 [Doc. 35]. The Court, noting that no objections were filed to the Report and Recommendation, adopted same and found the following terms of supervision had been violated:

- 1) failure to maintain compliance with the Court ordered payment of restitution.

The Court, after considering the statements of counsel for plaintiff and defendant, the defendant himself and the supervising officer, found the restitution arrearage to be \$711.00 and imposed a sentence of six months of incarceration. The Court stayed the incarceration upon the

conditions that:

- 1) defendant pay the \$711.00 arrearage within two months;
- 2) defendant obtain gainful employment within thirty days;
- 3) defendant make future restitution payments as previously ordered at the rate of 10% of gross monthly income.

Defendant's failure to comply with conditions outlined above will result in imposition of the six month period of incarceration.

IT IS SO ORDERED.

Dated: December 11, 2012

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE